GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:5721
ANSWERED ON:16.05.2007
CODE OF CONDUCT FOR DOCTORS
Mahajan Smt. Sumitra;Owaisi Shri Asaduddin

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the pharmaceutical companies are publishing attractive advertisements and giving gifts for the doctors to prescribing their medicines;

(b) if so, whether any code of conduct has been formulated for the doctors;

(c) if so, the details thereof;

(d) the step being taken by the Government to identify the doctors violating this code of conduct; and

(e) the details of action being taken against such doctors?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SMT. PANABAKA LAKSHMI)

(a) to (e): No specific complaints have been received in this regard. There is a code of conduct prescribed in the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002. This stipulate that a physician shall not give, solicit, or receive not shall he offer to give solicit or receive, any gift, gratuity, commission or bonus in consideration of or return for the referring, recommending or procuring of any patient for medical, surgical or other treatment. A physician shall not directly, or indirectly, participate in or be a party to act of division, transference, assignment, subordination, rebating, splitting or refunding of any fee for medical, surgical or other treatment. This shall apply with equal force to the referring, recommending or procuring by a physician or any person, specimen or material for diagnostic purposes or other study/work. The violation of any of the provisions of the said regulations will invite disciplinary proceedings. Further, an aggrieved party can also take recourse to legal remedies under Consumer Protection Act, 1996, in cases of such unethical practices.

The Medical Council of India and the appropriate State Medical Council have been empowered to take disciplinary action against physicians for violation of the provisions of the regulation.